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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,390	04/19/2004	Yoshiharu Uetani	252006US2	9710
22850 7590 12/27/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER SMITH, JEFFREY S	
			ART UNIT	PAPER NUMBER
			2624	
			NOTIFICATION DATE	DELIVERY MODE
			12/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">10/826,390</p>	<p>Applicant(s)</p> <p align="center">UETANI, YOSHIHARU</p>	
	<p>Examiner</p> <p align="center">Jeffrey S. Smith</p>	<p>Art Unit</p> <p align="center">2624</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 6-9 and 17-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/07, 4/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claims 6-9 and 17-19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 10/4/2007.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 10-16 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,446,804 issued to Allebach et al. ("Allebach").

For claim 1, Allebach discloses a first filter which is inputted with first image data which includes a plurality of pixels having respective pixel values and whose number of pixels should be converted to enhance or suppress a high frequency component of the inputted first image data to generate intermediate image data (see figure 4 steps 102,

104 and see figures 6-7 and 10 for example, an edge map with an increased number of pixels as shown in figure 10 is generated in steps 102, 104 using the methods shown in figures 6-7); and a second filter which performs interpolation processing according to a linear interpolation method to the generated intermediate image data to generate second image data whose number of pixels is converted from the first image data (as shown in figure 4 steps 108, 112 and figure 13).

Claims 11 and 14 are also rejected for these reasons.

For claims 2, 12 and 15 Allebach uses the first filter to generate the intermediate image data where the high frequency component of the first image data has been enhanced or suppressed by generating a new pixel having a pixel value between adjacent pixels in the first image data, the pixel value of the new pixel being calculated by a convolution operation of pixel values of pixels positioned near the pixel position where the new pixel should be generated as shown in figure 7.

For claim 3 Allebach discloses the first filter is inputted with a pixel number conversion information to determine the number of pixels in the first image data which is referenced for the convolution operation on the basis of the inputted conversion information as shown in figures 7-9 and discussed in column 3 lines 30-46.

For claims 5, 13 and 16 Allebach discloses the first filter generates the intermediate image data where the high frequency component of the first image data has been enhanced or suppressed by generating a new pixel having a pixel value at pixel position of each pixel in the first image data, the pixel value of the new pixel being

calculated by a convolution operation of pixel values of pixels positioned near the pixel in the first image data which corresponds to the new pixel as shown in figure 8.

For claim 10, Allebach discloses that the first filter selectively performs one of a first processing of generating the intermediate image data where the high frequency component of the first image data has been enhanced or suppressed by generating a new pixel having a pixel value between adjacent pixels in the first image data, the pixel value of the new pixel being calculated by a convolution operation of pixel values of pixels positioned near the pixel position where the new pixel should be generated, and a second processing of generating the intermediate image data where the high frequency component of the first image data has been enhanced or suppressed by generating a new pixel having a pixel value at pixel position of each pixel in the first image data, the pixel value of the new pixel being calculated by a convolution operation of pixel values of pixels positioned near the pixel in the first image data which corresponds to the new pixel as shown in figures 7-8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allebach in view of U.S. Patent Number 4,975,976 issued to Kimata et al. ("Kimata").

Allebach does not disclose reducing the size of an image.

Kimata discloses that the first filter is inputted with a pixel number conversion information to generate intermediate image data where the high frequency component in the first image data has been enhanced in the case of an enlargement processing, and generates intermediate image data where the high frequency component in the first image data has been suppressed in the case of a reduction processing (see figure 1, which can be used for enlargement or reduction as discussed in column 2 lines 59-65).

It would have been obvious to one of ordinary skill in the art at the time of invention to use the edge pre-filtering method of Allebach to also perform reduction processing as disclosed by Kimata for the benefit of avoiding image defects as taught by Kimata in column 4 lines 3-9.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited documents 1-6 in the Japanese notification of reasons for refusal also disclose the elements of claims 1-5 and 10-16. If applicant has successfully amended the claims in the Japanese application to overcome cited documents 1-6, disclosing the amended claims would help further prosecution. If the Japanese government has issued any further patentability reports, disclosing this information would be relevant to patentability.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey S. Smith whose telephone number is 571 270-1235. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 14, 2007
JSS